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1638 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Jeffrey E. Habben  
Application Number : 09/545,334  
Filing Date : 04/07/2000  
Title : Regulated Expression of Genes in Plant Seeds  
  
Group/Art Unit : 1638  
Examiner : Baum, Stuart F.  
  
Attorney Docket Number : 0803

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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LETTER

Examiner has requested that Applicant submit a legible copy of the amendment filed on July 28, 2003 in response to the office communication mailed March 27, 2003. The amendment was considered a *bona fide* attempt to respond but has not been entered because the faxed copy was of poor quality. Enclosed is a legible copy of the original documents as faxed for entering into the application.

Respectfully submitted,

*Karen K Varley*

Karen K. Varley  
Agent for Applicant(s)  
Registration No. 45,751

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Corporate Intellectual Property  
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Phone: (515) 334-6780  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/545,334	
	Filing Date	04/07/00	
	First Named Inventor	Jeffrey E. Habben	
	Art Unit	1638	
	Examiner Name	S. Baum	
Total Number of Pages in This Submission	23	Attorney Docket Number	0803

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  1 mo. Extension of Time
<div>Remarks</div>		

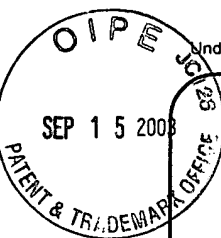
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Karen K. Varley
Signature	<i>Karen K Varley</i>
Date	July 28, 2003

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 110

Complete if Known	
Application Number	09/545,334
Filing Date	04/07/00
First Named Inventor	Jeffrey E. Habben
Examiner Name	S. Baum
Group / Art Unit	1638
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METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		<b>3. ADDITIONAL FEES</b>																																																																																																																					
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 16-1852 Deposit Account Name: Pioneer Hi-Bred International, Inc.		<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053 130</td><td>1053 130</td><td>Non-English specification</td><td></td></tr><tr><td>1812 2,520</td><td>1812 2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>1804 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td>110</td></tr><tr><td>1252 410</td><td>2252 205</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253 930</td><td>2253 465</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254 1,450</td><td>2254 725</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255 1,970</td><td>2255 985</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401 320</td><td>2401 160</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402 320</td><td>2402 160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403 280</td><td>2403 140</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451 1,510</td><td>1451 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453 1,300</td><td>2453 650</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501 1,300</td><td>2501 650</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502 470</td><td>2502 235</td><td>Design issue fee</td><td></td></tr><tr><td>1503 630</td><td>2503 315</td><td>Plant issue fee</td><td></td></tr><tr><td>1460 130</td><td>1460 130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807 50</td><td>1807 50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr><tr><td>1806 180</td><td>1806 180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>8021 40</td><td>8021 40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809 750</td><td>2809 375</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810 750</td><td>2810 375</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801 750</td><td>2801 375</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802 900</td><td>1802 900</td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Large Entity	Small Entity	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	1053 130	Non-English specification		1812 2,520	1812 2,520	For filing a request for reexamination		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month	110	1252 410	2252 205	Extension for reply within second month		1253 930	2253 465	Extension for reply within third month		1254 1,450	2254 725	Extension for reply within fourth month		1255 1,970	2255 985	Extension for reply within fifth month		1401 320	2401 160	Notice of Appeal		1402 320	2402 160	Filing a brief in support of an appeal		1403 280	2403 140	Request for oral hearing		1451 1,510	1451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,300	2453 650	Petition to revive - unintentional		1501 1,300	2501 650	Utility issue fee (or reissue)		1502 470	2502 235	Design issue fee		1503 630	2503 315	Plant issue fee		1460 130	1460 130	Petitions to the Commissioner		1807 50	1807 50	Processing fee under 37 CFR 1.17 (q)		1806 180	1806 180	Submission of Information Disclosure Stmt		8021 40	8021 40	Recording each patent assignment per property (times number of properties)		1809 750	2809 375	Filing a submission after final rejection (37 CFR § 1.129(a))		1810 750	2810 375	For each additional invention to be examined (37 CFR § 1.129(b))		1801 750	2801 375	Request for Continued Examination (RCE)		1802 900	1802 900	Request for expedited examination of a design application	
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<b>2. EXTRA CLAIM FEES</b> <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1202 18</td><td>2202 9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201 84</td><td>2201 42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203 280</td><td>2203 140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204 84</td><td>2204 42</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>1205 18</td><td>2205 9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table>		Large Entity	Small Entity	Fee Description	Fee Paid	1202 18	2202 9	Claims in excess of 20		1201 84	2201 42	Independent claims in excess of 3		1203 280	2203 140	Multiple dependent claim, if not paid		1204 84	2204 42	** Reissue independent claims over original patent		1205 18	2205 9	** Reissue claims in excess of 20 and over original patent																																																																																															
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Karen K. Varley	Registration No. Attorney/Agent	45,751
Signature	Karen K. Varley	Telephone	515-334-6780
		Date	July 28, 2003

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Karen K. Varley

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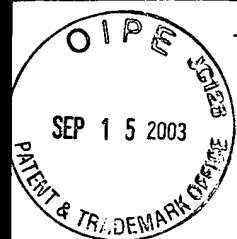
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Fax: (515) 334-6883

TO: Commissioner for Patents  
FROM: Karen K. Varley, Registration No. 45,751  
RE: U. S. Patent Application No. 09/545,334; Attorney Docket No. 0803  
Applicants: Habben, et al.  
Title: Regulated Expression of Genes in Plant Seeds  
DATE: July 28, 2003 FAX NUMBER: (703) 872-9306  
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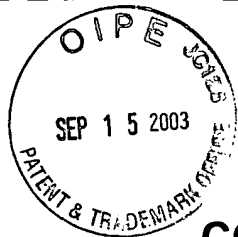
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Johnston, Iowa 50131-1000

Phone: (515) 334-6780  
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TO: Commissioner for Patents

FROM: Karen K. Varley, Registration No. 45,751

RE: U. S. Patent Application No. 09/545,334; Attorney Docket No. 0903  
Applicants: Habben, et al.  
Title: Regulated Expression of Genes in Plant Seeds

DATE: July 28, 2003 FAX NUMBER: (703) 872-9306

NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 22

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